

**AGNEW & MORRISON, P.C.**

Honorable Loretta A. Preska  
Senior Justice, United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

November 21, 2024

**VIA ECF**

**Re: *Feola v. Mueller, et al.*, 23-cv-3393**

Dear Judge Preska:

Plaintiff's counsel writes to respectfully request that the instant case be stayed for 90 days with the consent of Defendants' counsel. Discovery in this case is closed with the exception of expert discovery. Our client, Elvio Feola, passed away yesterday. We are very grateful that DOCCS granted him medical parole and he was able to spend the last few years at home with his family. We will be working with his widow, Stephanie Feola, to get a probate filing completed in the coming weeks, though this does require some administrative processing. We anticipate filing a motion to substitute the Estate as well as a Suggestion of Death within 90 days. As soon as the substitution is ordered, counsel will propose new deadlines for expert reports and dispositive motion practice as necessary.

We will be grateful for the Court's courtesy.

Very truly yours,

/s/ *AJ Agnew*

Amy Jane Agnew, Esq.

SO ORDERED  
*Loretta A. Preska*  
LORETTA A. PRESKA  
UNITED STATES DISTRICT JUDGE

11/21/24